S T A T E O F N E W Y O R K

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I N A S S E M B L Y

April 25, 2014

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the retirement and social security law, in relation to authorizing enrollment in the section 384-d retirement plan for all new members of the New York state and local police and fire retirement system

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The retirement and social security law is amended by adding a new section 1201-a to read as follows:

S 1201-A. RETIREMENT PLAN. NOTWITHSTANDING ANY OTHER LAW TO THE CONTRARY, MEMBERS WHO FIRST BECOME MEMBERS OF THE NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN AND ARE EMPLOYED BY AN EMPLOYER WHO HAS ELECTED THE BENEFITS OF SECTION THREE HUNDRED EIGHTY-FOUR-D OF THIS CHAPTER SHALL AUTOMATICALLY BE ENROLLED IN SUCH SECTION THREE HUNDRED EIGHTY-FOUR-D RETIREMENT PLAN. ANY MEMBER SO ENROLLED IN THE SECTION THREE HUNDRED EIGHTY-FOUR-D RETIREMENT PLAN MAY THEREAFTER WITHDRAW FROM SUCH PLAN.

S 2. This act shall take effect January 1, 2015.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill will provide automatic enrollment into the provisions of section 384-d of the Retirement and Social Security Law for members who first become members of the New York State and Local Police and Fire Retirement System on or after January 1, 2015 who are employed by an employer who has elected the benefits of such plan. Any member so enrolled may thereafter withdraw from such plan.

If this bill is enacted, there would be no cost since the enrollment into such plan is already provided by law if the member files within the first year of employment.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013 Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012 and 2013 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2013 New York State and Local Retirement System Financial Statements and Supplementary Information.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion continued.

This estimate, dated April 2, 2014 and intended for use during the 2014 Legislative Session, is Fiscal Note No. 2014-108, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.